

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
No. 7:20-CV-227-BO

TABITHA L. COTTLE, )  
Plaintiff, )  
v. ) ORDER GRANTING ATTORNEY'S  
KILOLO KIJAKAZI, ) FEES PURSUANT TO  
Commissioner of Social Security, ) 42 U.S.C § 406(b)  
Defendant. )  
\_\_\_\_\_  
)

On February 3, 2022, an Order and Judgement were entered reversing the decision of the Commissioner under sentence four of 42 U.S.C. § 405(g) and remanding this case to the Commissioner for payment of benefits.

Pending before this Court is attorney Jonathan P. Miller's (Plaintiff's Counsel) Motion for Attorney's Fees Pursuant to 42 U.S.C. § 406(b). Plaintiff's Counsel requests an award of attorney fees in the amount of \$14,866.00. Plaintiff's Counsel has also acknowledged that the \$8,400.00 attorney fee awarded under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412 should be returned to Plaintiff.

Plaintiff's Counsel's Motion is hereby GRANTED. Defendant is Ordered to pay \$14,866.00 to Plaintiff's Counsel, Jonathan P. Miller, pursuant to 42 U.S.C. § 406(b). Plaintiff's Counsel will refund the \$8,400.00 EAJA attorney fee to Plaintiff.

SO ORDERED this 7 day of Feb., 2022.

  
TERRENCE W. BOYLE  
United States District Judge